

STATE OF MINNESOTA
SPECIAL REDISTRICTING PANEL

C0-01-160

Susan M. Zachman, Maryland Lucky R.
Rosenbloom, Victor L.M. Gomez, Gregory G.
Edeen, Jeffrey E. Karlson, Diana V. Bratlie,
Brian J. LeClair and Gregory J. Ravenhorst,
individually and on behalf of all citizens and
voting residents of Minnesota similarly
situated,

Plaintiffs,

and

Patricia Cotlow, Thomas L. Weisbecker,
Theresa Silka, Geri Boice, William English,
Benjamin Gross, Thomas R. Dietz and John
Raplinger, individually and on behalf of all
citizens and voting residents of Minnesota
similarly situated,

Plaintiffs-Intervenors,

and

Jesse Ventura,

Plaintiff-Intervenor,

and

Roger D. Moe, Thomas W. Pugh, Betty
McCollum, Martin Olav Sabo, Bill Luther,
Collin C. Peterson and James L. Oberstar,

Plaintiffs-Intervenors,

vs.

Mary Kiffmeyer, Secretary of State of
Minnesota, and Doug Gruber, Wright County
Auditor, individually and on behalf of all
Minnesota county chief election officers,

Defendants.

ORDER

Setting Public Hearing Schedule

ORDER

WHEREAS population changes in Minnesota, as measured by the 2000 United States Census, necessitate the redrawing of congressional and legislative district boundaries in order to satisfy the constitutional requirement that every person's vote must be worth as much as another's. *See Whitcomb v. Chavis*, 403 U.S. 124, 141-42 (1971) (citing *Reynolds v. Sims*, 377 U.S. 533, 563 (1964)); and

WHEREAS the Chief Justice of the Minnesota Supreme Court has recognized that it is preferable for the legislature to redraw these district boundaries, but has appointed this panel to proceed on the merits of this lawsuit so that it may promptly release redistricting plans "only in the event a legislative redistricting plan is not enacted in a timely manner." *Zachman v. Kiffmeyer*, 629 N.W.2d 98 (Minn. Jul 12, 2001) (Order of the Chief Justice); and

WHEREAS redistricting will affect every Minnesota citizen in that it bears on the legislative and congressional representation of voters and nonvoters alike; and

WHEREAS judicial redistricting panels have in the past held hearings to give members of the public the opportunity to participate in the redistricting of their states. *See, e.g., Lawyer v. Dep't of Justice*, 521 U.S. 567, 572-73 (1997) (noting redistricting hearings held by U.S. District Court for the District of Florida); *Old Person v. Cooney*, 230 F.3d 1113, 1118 (9th Cir. 2000) (Montana); *E. Jefferson Coalition for Leadership & Dev. v. Parish of Jefferson*, 926 F.2d 487, 490 (5th Cir. 1991) (Louisiana); *Watson v. Comm'rs Court*, 616 F.2d 105, 107 (5th Cir. 1980) (Texas); *Wilson v. Eu*, 823 P.2d 545, 547-48 (Cal. 1992). Likewise, the Minnesota Supreme Court holds public hearings on issues of public concern from time to time, as do administrative law judges. *See, e.g., Order for Hearing Re: Open Hearings in Juvenile Protection Matters*, No. C2-95-1476 (Minn. Sept. 25, 2001); *In re Excess Surplus Status of Blue Cross & Blue Shield*, 624 N.W.2d 264, 272-73 (Minn. 2001); and

WHEREAS the panel's redistricting criteria encourages the preservation of communities of interest, which include, but are not limited to, "groups of Minnesota citizens with clearly recognizable similarities of social, geographic, political, cultural, ethnic, economic, or other interests." *Zachman v. Kiffmeyer*, No. C0-01-160, at 3, 5 (Special Redistricting Panel Dec. 11, 2001) (Order Stating Redistricting Principles and Requirements for Plan Submissions); and

WHEREAS the panel would like to gather information about Minnesota communities from Minnesota citizens and would like to give members of the public the opportunity to provide the panel with facts, opinions, or concerns that may inform the redistricting process.

NOW, THEREFORE, IT IS HEREBY ORDERED that city, county, and other local officials, representatives of local community groups, and all interested members of the public residing anywhere in the State of Minnesota, are invited to comment on how they prefer their communities to be viewed during redistricting. The hearings will take place as follows:

Monday, February 4, 2002

12:00 p.m. Lyon County Commissioners' Rooms
Lyon County Government Center
607 West Main Street
Marshall, Minnesota 56258

6:30 p.m. Stearns County Board Room
Stearns County Administration Center
705 Courthouse Square
St. Cloud, Minnesota 56303

Tuesday, February 5, 2002

12:00 p.m. Becker County Commissioners' Room
Becker County Courthouse
915 Lake Avenue
Detroit Lakes, Minnesota 56501

6:30 p.m. Duluth City Council Chambers
City Hall
411 West 1st Street
Duluth, Minnesota 55802

Wednesday, February 6, 2002

12:00 p.m. Council/Board Chambers
Government Center
151 Fourth Street Southeast
Rochester, Minnesota 55904

5:30 p.m. Courtroom 300
Minnesota Judicial Center
25 Constitution Avenue
St. Paul, Minnesota 55155

IT IS FURTHER ORDERED that:

1. All persons who wish to make an oral presentation at the hearing shall make a request to appear by 4:30 p.m. on Wednesday, January 30, 2002. Requests may be made by calling 1-800-533-8120 and leaving a voice message stating and spelling the requestor's name and telephone number, the group he or she represents, if any, and the hearing location at which he or she would like to speak. To obtain confirmation of these requests, call 1-800-533-8120 or visit the panel's website, located at http://www.courts.state.mn.us/cio/redistricting_panel.htm, after 4:30 p.m. on Thursday, January 31, 2002. Each speaker will have five minutes to speak at the hearing at which he or she requests to appear.

2. All persons who prefer not to make an oral presentation but wish to provide input regarding the subject matter of these hearings may personally deliver written statements or send them via U.S. Mail to Minnesota Special Redistricting Panel, c/o Frederick Grittner, Clerk of Appellate Courts, 305 Minnesota Judicial Center, 25 Constitution Avenue, St. Paul, Minnesota 55155. Written statements must be received no later than Friday, February 8, 2002.

3. Links to more information about redistricting and to the plans proposed by the parties to this case are available at http://www.courts.state.mn.us/cio/redistricting_panel.htm. Paper copies of the maps and supporting material are on file and available for viewing in the Office of the Clerk of Appellate Courts.

Dated:

BY THE PANEL:

Edward Toussaint, Jr.
Presiding Judge